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Justice Staff Backs Rights Grievances

Officials Silent

By Bruce Galphin
Washington Post Staff Writer

A "strongly worded" bill of grievances about the Nixon administration's civil rights enforcement policies won widespread endorsement among Justice Department Civil Rights Division lawyers yesterday.

Top Justice Department officials were out of the city or unavailable for comment yesterday, and the dissident lawyers themselves remained tight-lipped about contents of the petition.

But one of the lawyers who had a hand in drafting it described it as "strongly worded." By implication if not literally, the statement reportedly suggested there may be mass resignations among some 76 active staff lawyers in the Civil Rights Division. Final wording of the petition was worked out by a committee Wednesday night.

The petition seeks a statement from Atty. Gen. John N. Mitchell affirming a department policy of firm civil rights law enforcement.

If the petition wins enough signatures, it will be presented first, as a matter of protocol, to the chief of the Civil Rights Division, Jarris Leonard.

See LAWYERS, A12, Col. 2

HUD Sets Drive

By Eve Edstrom
Washington Post Staff Writer

The Nixon administration intends to initiate new procedures to enforce more aggressively the open housing provisions of the 1968 Civil Rights Act.

This move was under way before Justice Department attorneys protested this week against what they consider to be a softening of administration actions on civil rights matters.

Sherman Unger, general counsel of the Department of Housing and Urban Development, said in an interview that "this administration is aggressively pursuing" ways to make the open housing provisions more effective.

Unger said HUD no longer "will be content to sit back and wait" for individuals to file complaints under the law's provisions that forbid discrimination in the sale, rental or advertising of housing.

Nor is the Nixon administration, Unger said, satisfied with the enforcement procedures inherited from the Johnson administration.

Although the law is not the toughest instrument possible, Unger said the Johnson administration "didn't really take advantage of it."

See HOUSING, A12, Col. 2

HUD to Use More Aggressive Methods In Enforcement of Open Housing

HOUSING, From A1

Both Unger and Assistant HUD Secretary for Equal Opportunity Samuel J. Simmons outlined new procedures which, they said, have been under study and probably will be put into effect in a matter of weeks.

Unger said that HUD currently only offers conciliation services to complainants. If conciliation fails, the individual as no other recourse except to file a civil suit in federal court, which is an expensive and time-consuming process.

Therefore, Unger said, HUD Secretary George W. Romney is considering instituting speedy hearings before a federal examiner, with reviews by an appeals board when requested, if conciliation fails. The hearings would be scheduled in the communities where the alleged discrimination took place.

This plan has several advantages, Unger said. For example, conciliation sessions are not public, while the hearing and appeals procedures would be. This would put the "full public spotlight" on the need to comply with the law, as well as educating individuals

to their rights under the law, Unger said.

Furthermore, Unger said that if alleged violators knew there would be a speedy hearing instead of a long court suit, they might be more amenable to conciliation procedures.

And even if the case finally had to go to court, Unger said the complainant would be better off because the hearing record would be available at far less cost than preparing a civil suit from scratch.

The open housing law's enforcement provisions also include the filing of civil suits by the Attorney General if a "pattern of practice" of resistance to the law is uncovered.

To aid the Justice Department in bringing such suits, Unger said HUD will step up its "pattern of practice" investigations. Such a cooperative effort, Unger said, was responsible for a Justice Department suit filed in July against a suburban real estate group and 13 member brokers in Chicago.

This was the first open

housing case filed against an organization, as distinguished from those filed against individuals. Similar situations are now under review in other cities, Unger said.

Justice Staff Strongly Supports Petition for Firm Rights Policy

LAWYERS, From A1

The petition reportedly encountered little opposition in the Washington office yesterday, but many of the staff are out of the city. One source said that although supervisory personnel of the division were barred from a planning session at one of the lawyer's apartment last Tuesday night, most of them also approved the petition.

Leonard had been expected back in Washington yesterday, but instead he was in Louisiana, where stepped-up school desegregation is encountering widespread white boycotting.

A department spokesman said Leonard probably would be back in Washington today.

Leonard told a television newsmen Wednesday night in Thomasville, La., that the rights division lawyers were dedicated men but lacked some of the facts necessary for judging the situation.

Beyond that, no one in Justice has had any comment.

Atty. Gen. Mitchell flew into Washington Wednesday from a vacation near the San Clemente Western White House, but returned the same day without commenting on the rebellion in the Civil Rights Division.

In fact, everyone in the department was lying low yesterday.

Mitchell and Leonard were out of the city. Deputy Atty. Gen. Richard G. Kleindienst was not available for an interview. Public Information Director Jack Landau was at home and not answering the telephone.

Division lawyers were at least as inaccessible as their bosses.

Patrick King, at whose apartment some 40 lawyers met Tuesday night, was bird-dogged by as many as eight newsmen in the hallway outside his office yesterday.

Television crewmen set up

lights in the corridor before King came to work at 9 a.m., but he entered from the other direction. When he spotted the newsmen, he ducked into the nearest office and got to his own through interior doors.

And there he remained throughout the day, while newsmen camped out in the hallway and tourists strolled by, staring, cameras swinging from their shoulders.

King apparently sent out for his lunch and ate it in his office.

One reason the lawyers were being so cautious, a former rights division staff attorney explained, is that public airing of internal matters can be any offense punishable by dismissal. Some of the dissident lawyers may be ready to resign, but apparently none wants to be fired.

The department's dictum pleading for delay in Mississippi school integration reportedly triggered the Tuesday night meeting and the petition, but dissatisfaction with administration policy has been mounting for several months.